

BOARD OF DIRECTORS
AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Wednesday, March 23, 2005

The Air Pollution Control District Board of the County of San Luis Obispo, met in regular session at 9:00 a.m..

PRESENT: Directors K.H. ‘Katcho’ Achadjian, Joe Costello, David Ekbom, John Ewan, Arlene Gonzales-Gee, James Heggarty, Jerry Lenthall, James Patterson, Bill Peirce, and Vice Chairperson Tom O’Malley,

ABSENT: Directors Shirley Bianchi, Chairperson Harry L. Ovitt

SUM **AGN**

1 A-1 **Thereafter, on motion of Director Achadjian, seconded by Director Ewan and on the following roll call vote:**

AYES: Directors Achadjian, Ewan, Costello, Ekbom, Gonzales-Gee, Heggarty, Lenthall, Patterson, Peirce, Vice Chairperson O’Malley

NOES: None

ABSENT: Directors Bianchi, Chairperson Ovitt

RESOLUTION NO. 2005-1, resolution of the Air Pollution Control Board declaring April 23, 2005 to be Earth Day in San Luis Obispo County, adopted.

Director Ewan: reads the resolution and presents the same to Ms. Sandra Marshall, who thanks the Board for the recognition and comments on the events that will occur.

2 A-2 **Thereafter, on motion of Director Achadjian, seconded by Director Ewan and on the following roll call vote:**

AYES: Directors Achadjian, Ewan, Costello, Ekbom, Gonzales-Gee, Heggarty, Lenthall, Patterson, Peirce, Vice Chairperson O’Malley

NOES: None

ABSENT: Directors Bianchi, Chairperson Ovitt

RESOLUTION NO. 2005-2, resolution of the Air Pollution Control Board proclaiming May 2005 as Bike Month and May 23 to May 27, 2005 as Bike to Work Week throughout San Luis Obispo County, adopted.

Director Patterson: reads the resolution and presents the same to Ms. Diane Foresman, Ride Share and Mr. Adam Fukushima, SLO County Bicycle Coalition.

Ms. Foresman: thanks the District for the recognition and support over the years.

Mr. Fukushima: thanks the Board, on behalf of the Coalition, for this recognition.

3 A-3 **Thereafter, on motion of Director Achadjian, seconded by Director Ewan and on the following roll call vote:**

AYES: Directors Achadjian, Ewan, Costello, Ekbom, Gonzales-Gee, Heggarty, Lenthall, Patterson, Peirce, Vice Chairperson O’Malley

NOES: None

ABSENT: Directors Bianchi, Chairperson Ovitt

RESOLUTION NO. 2005-3, resolution of the Air Pollution Control Board declaring May, 2005 to be Clean Air Month in San Luis Obispo County, adopted.

220, Portable Equipment Registration, adopted.

8 D-1 This is the time set for a report on a recently adopted State Airborne Toxic Control Measure for Diesel Engines rated at 50 horsepower or greater.

Mr. Gary Willey: APCD staff, presents the staff report addressing the changes needed to bring these engines into compliance with the EPA requirements; comments on current exemptions for Agricultural engines; what the District will do to implement the new regulations.

Board Members: address various issues, comments and concerns regarding: the number of engines that produce more than 50 tons per year; making sure this information gets out to the public ahead of time; questions why there is no paper trail for these engines now by the State; whether there will be a need for more staff to enforce these changes; the possibility of requiring State staff to train for a month at the local level before they can be State certified, with Mr. Larry Allen, APCO and Mr. Willey responding.

Ms. Marilee Hyman: League of Women Voters, questions what the money received from these regulations will be used for; what the cost of non-compliance will be; and, what the benefits of registering will be, with Mr. Allen and Mr. Willey responding.

Matter is discussed and thereafter, on motion of Director Peirce, seconded by Director Costello, with Director Bianchi and Chairperson Ovitt being absent, motion carries and the Board receives and files the staff report dated March 23, 2005.

9 D-2 This is the time set to consider the request to raise the Department of Motor Vehicles (DMV) surcharge from \$4 to \$6, as authorized in Assembly Bill 923, to augment the Carl Moyer Program.

Ms. Aeron Arlin Genet: APCD staff, presents the staff report addressing the passage of AB 923 that allows for the increase in the DMV fees and outlines what these fees could be used for; outlines the staff recommendation.

Board Members: address various issues, comments and concerns regarding: why diesel vehicles are not being required to be smogged; whether there are guarantees that the money collected here will be used here in the County; where the money is used that is collected for Carl Moyer, with Ms. Arlin Genet and Mr. Larry Allen, APCO, responding.

Ms. Diana Larsen: Deputy Superintendent for Lucia Mar School District, speaks to the pollution from school buses; that school districts are exempt from paying this licensing fee; urges support for this increase as schools will benefit and they will be able to replace their buses.

Mr. Jon Van Bogart: Delta Liquid Energy, presents a letter for the record and speaks in support of the increase; supports the use of alternative fuels and the reduction of petroleum uses.

Ms. Joy Fitzhugh: Farm Bureau, presents a letter for the record and speaks to the Agricultural community's support for this increase.

A motion by Director Heggarty to increase this fee by \$1 and direct staff to report back in six months as to the correlation between diesel and gas, dies for lack of a second.

Matter is fully discussed and thereafter, on motion of Director Ewan, seconded by Director Gonzales-Gee and on the following roll call vote:

AYES:	Directors	Ewan, Gonzales-Gee, Achadjian, Costello, Ekbohm, Lenthall, Patterson, Peirce, Vice Chairperson O'Malley
NOES:	Director	Heggarty
ABSENT:	Directors	Bianchi, Chairperson Ovitt

RESOLUTION NO. 2005-5, resolution of the Air Pollution Control Board to increase Department of Motor Vehicle surcharge for Mobile Source Emission Reduction Incentive Programs, adopted.

10 E-1 This is the time set for consideration of the Gasoline Dispensing Vapor Recovery Program.

Director Achadjian: questions whether he has a conflict in sitting for this item with Mr. Ray Biering, Deputy County Counsel, indicating he doesn't as this isn't an action item.

(DIRECTOR JAMES HEGGARTY IS NOW ABSENT.)

Mr. Brian Aunger: APCD staff, presents the staff report; addresses the objectives of the program; outlines the permit process for this and the deadlines for implementation they are proposing.

No one appearing and thereafter, on motion of Director Costello, seconded by Director Peirce, with Directors Bianchi, Heggarty and Chairperson Ovitt being absent, motion carries and the Board receives and files the staff report dated March 23, 2005.

11 DC This is the time set for Board members to make comments.

Vice Chairperson O'Malley: opens the floor to comments without response.

On motion duly made and unanimously carried, the Air Pollution Control District Board of the County of San Luis Obispo does now adjourn.

Chairperson, Air Pollution Control District Board

ATTEST:

JULIE L. RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Air Pollution Control District Board

By: _____
Deputy Clerk-Recorder

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